

*U.S. Patent Application Serial No. 10/594,149*

**REMARKS**

The Action indicates that: certified copies of the priority document in support of the claim for priority have been received by the Office; the Action is responsive to the paper of August 25, 2008; and claims 1-20 are pending and rejected;.

The claims are amended for clarity. New claim 21 is supported in, e.g., the Abstract, and is patentable for the reasons below.

In response to the outstanding Official Action:

**Drawing.** The drawings were objected to under Rule 1.83(a) for failing to show each claimed feature. This objection is respectfully traversed for the record.

The Examiner has not identified any feature which is not illustrated, and therefore the Applicant is unable to respond. Clarification is requested.

**§ 112.** Claims 1 and 5 were rejected under § 112, second paragraph, for the phrase "time information." This rejection is respectfully traversed.

The phrase "time information" is not *per se* indefinite; this phrase literally could mean, e.g., any information about time, such as the information on the face of a clock, or the clock pulses inside a computer; the Examiner is understood to hold the phrase, in itself, to be definite. The Examiner asserts, however, that this phrase does not "point out what and which information is the time information."

The word "which" implies some group of information from which the time information must be selected, but no such group is identified. The Applicant requests clarification.

The word "what" implies a more complete description. However, any requirement for a more complete description implies that the rejection should have been made under § 112, *first* paragraph. Even a very broad term is definite under the second paragraph, and complies with the

*U.S. Patent Application Serial No. 10/594,149*

first paragraph if supported in the specification (the rejection does not assert any such lack of support). Again, clarification is requested.

§ 103. Claims 1 - 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshida (U.S. Patent No. 5,699,056) in view of Myochin, US 2005/0053310. This rejection is respectfully traversed.

**Transparency.** The amended claims recite that the transparency of one of the plurality of map component information is altered according to an elapsed time from the time at which each of the plurality of map component information is generated or acquired. That feature is not disclosed in either of the references.

Yoshida merely displays traffic information with characters, without any change in transparency. The Examiner and relies on Myochin for the subject matter of the last paragraph of claim 1.

Myochin discloses varying the transparency of a mask image to allow displaying a plurality of images. Like Yoshida, however, Myochin does not disclose alteration of transparency in according with an elapsed time from the time at which each of the information is generated or acquired. The time information cited by the Examiner merely indicates a superimposition time of the mask image, which is not the same thing.

The variable transparency of Myochin is not related to any particular feature such as the "scale of the accident, the number of involved vehicles, the elapsed time from the occurrence of the accident, and the like" disclosed by Yoshida. Yoshida breaks screens into stripes and arrays these in order. The result is, apparently, a superposition of entire screens in which the first screen is maintained but the others are subject to fading. The screens are devoted to different colors (e.g., Figs. 6, 9, 14). Myochin writes,

*U.S. Patent Application Serial No. 10/594,149*

[0069] For example, it is assumed that the image data 1A has reddish color and the second mask data 22 have blackish color as a whole. In this case, the image data 1A that is allowed to be visible may look bad due to the boldness of the color of the second mask data 22 serving as mask data. In order to cope with the case, the mask color adjustor 135G and image color recognizer 135F are provided. The mask color adjustor 135G can adjust the color of the second mask data 22 to the color substantially the same as that of the constitutional image data 101 of the image data that is being displayed.

Myochin also discloses a "predetermined time," but this is not the same as an "elapsed time." The timing in Myochin is unrelated to the timing in Yoshida. Myochin writes, "[0120] ... the time information 13A is slightly shifted with respect to the respective image data. Thus, the transmittance of the mask cell data 23 that constitute different image data do not change all at once. Therefore, it is possible to create the mask position information table 13 that allows the mask cell data 23 to sequentially change for each image data."

**Elapsed Time.** According to a word search, Yoshida mentions "elapsed time" exactly twice: once in "The elapsed time from the time point where the accident information is first received is also measured;" and again in "The scale of the accident, the number of involved vehicles, the elapsed time from the occurrence of the accident, and the like are also displayed in addition to the position of the accident on the map *using characters, or the like*" (emphasis added). Thus, Yoshida displays specific information relating to the elapsed time with characters, not transparency. Neither "transparency" nor "transmittance" occur in the reference; these features are not disclosed in Yoshida.

On the other hand, Myochin does not disclose any elapsed time; "elapsed time" does not occur in the reference.

*U.S. Patent Application Serial No. 10/594,149*

**Combination.** The adjustment of Myochin is a screen-wide adjustment of tone, not a display of information as in Yoshida. If these two were combined, as the Examiner asserts (not admitted), then what would be the result? A display with numbers showing elapsed time and having adjustable color would result. That is what the references disclose, and no combination can achieve more than what the references teach individually.

The Examiner points to Myochin's Fig. 8. With respect, the only discussion of Fig. 8 is found in paragraphs 0119 and 0120, and these do not disclose what is claimed. For example, "[0119] ... The transmittance of the mask cell data 23 of the mask data 220 at a *predetermined* time is described in the mask position information table 13 as shown in FIG. 8" (emphasis added). There is no mention of any elapsed time exceeding a predetermined time, as claim 1 recites. As noted, Myochin nowhere discloses an elapsed time.

**New Claim 21.** The new claim still further distinguishes over the references. As mentioned above, Myochin discloses no adjustment of any specific information component, only color adjustment. Also as noted, Yoshida uses characters to convey information, not icons. No combination of these references (not admitted) could reach claim 21.

*U.S. Patent Application Serial No. 10/594,149*

In view of the aforementioned amendments and accompanying remarks, the claims are in condition for allowance, which action, at an early date, is requested.

Respectfully submitted,

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